

Harbison.
Harper.
Henderson.
Hicks.
Hill.
Lipscomb.
Martin.

McKamy.
Morris.
Paulus.
Savage.
Stafford.
Willacy.
Wilson.

Absent.

Faubion.
Mills.
Patteson.

Perkins.
Sebastian.

The bill was read third time, and passed by the following vote:

Yeas—25.

Beaty.
Brachfield.
Cain.
Davidson of

DeWitt.
Davidson of
Galveston.

Decker.
Douglass.
Faulk.
Faust.
Grinnan.
Hale.
Hanger.

Harbison.
Harper.
Hicks.
Hill.
Lipscomb.
Martin.
Mills.
Morris.
Paulus.
Savage.
Stafford.
Willacy.
Wilson.

Absent.

Faubion.
Henderson.
McKamy.

Patteson.
Perkins.
Sebastian.

Senator Hale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 94.

On motion of Senator Paulus, pending business (House bill No. 16) was suspended, and the Senate took up, out of its order, Senate bill No. 94.

The Chair laid before the Senate, on its second reading,

Senate bill No. 94, A bill to be entitled "An Act to amend Chapter 153 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, and amended at the Regular Sessions of the Twenty-sixth and Twenty-seventh Legislatures, entitled 'An Act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by means of the ordinary hook and line and trot line; to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof,' by exempting the county of Stephens and other counties from the provisions of this act."

Senator Mills offered the following amendment:

"Amend by adding after 'San Augustine' 'McLennan and Henderson.'"

The amendment was adopted.

The bill was read second time, and ordered engrossed.

SENATE BILL NO. 65.

On motion of Senator Harbison, pending business (House bill No. 16) was suspended, and the Senate took up, out of its order, Senate bill No. 65.

The Chair laid before the Senate, on its second reading,

Senate bill No. 65, A bill to be entitled "An Act to repeal subdivision 1 of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, that imposes an annual occupation tax on merchants."

Bill was read second time.

ADJOURNMENT.

On motion of Senator Faulk the Senate, at 5:10 o'clock p. m., adjourned until 10 o'clock tomorrow.

TWENTIETH DAY.

Senate Chamber,
Austin, Tex., Thursday, Feb. 12, 1903.

Senate met pursuant to adjournment.

Lieutenant Governor Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.
Brachfield.
Cain.
Davidson of
DeWitt.
Davidson of
Galveston.
Decker.
Douglass.
Faubion.
Faulk.
Faust.
Grinnan.
Hale.
Hanger.
Harbison.
Harper.

Henderson.
Hicks.
Hill.
Lipscomb.
Martin.
McKamy.
Mills.
Morris.
Patteson.
Paulus.
Perkins.
Savage.
Sebastian.
Stafford.
Willacy.
Wilson.

ROLL OF OFFICERS AND EMPLOYES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.

Amos Wynne.
 W. M. Cobb.
 Eldred McKinnon.
 Mrs. Laura V. Grinnan.
 F. P. Smith.
 Miss Lucy Lane.
 C. H. Allen.
 D. F. Hughes.
 Frank Mullins.
 C. J. Kirk.
 Rev. I. S. Davenport.
 Miss May Faut Odom.
 J. C. Son.
 Miss Georgia Sturgis.
 Mrs. Hattie Yarbrough.
 Mrs. Hope H. Hawkins.
 Miss Emily Holcomb.
 Mrs. J. R. Van Orden.
 Miss Bessie Goldstein.
 W. T. Pace.
 W. A. Shaw, Jr.
 Lucian Goss.
 J. A. Chaffe.
 Charlie Lane.
 Willie Gibson.
 Henry Paulus.
 Evetts Thornhill.
 Walter Savage.
 James Sebastian.
 Willie Gray.
 Jamie Snipes.
 Ed Underhill.
 Will Bartley.
 Reid Pierson.
 Dan Edwards.
 Josh Pyles.
 Ellis Monroe.
 Albert Hill.
 Mark Marsh.

Absent.

John Durst.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Hill, the same was dispensed with.

EXCUSED.

On motion of Senator Willacy, Senator Wilson was excused for non-attendance upon the Senate on yesterday on account of important business.

On motion of Senator Wilson, Senator Sebastian was excused for non-attendance upon the Senate on yesterday on account of business.

On motion of Senator Harbison, Senator Faust was excused for non-attendance upon the Senate on yesterday on account of important business.

PETITIONS AND MEMORIALS.

To the Hon. State Senate of Texas, and to Hon. A. M. Douglass, Senator Tenth District, and to Hon. R. N. Stafford, Chairman Educational Committee.

We the undersigned citizens of territory adjoining the town of Whitney Independent School District most respectfully petition you to enact into a law House bill No. 14, by the operation of which our land and property may be incorporated into the Whitney Independent School District for the purpose of securing to us better educational facilities. We are contiguous and near to the Whitney school and are compelled from year to year to transfer our children to said district. Numerously signed.

Referred to Committee on Education.

By Senator Paulus:

To the Legislature of the State of Texas:

We, the ex-Confederates of Camp No. 135, Coryell county, Texas, in meeting assembled, beg leave to call your attention to the following:

We heartily endorse the bill before you at present for the increase of the appropriation to disabled ex-Confederates and their widows. The present appropriation is wholly inadequate for the needs of the present, and we hope your wisdom will see fit to increase to \$500,000, or at least the amount of appropriation now allowed by law, \$250,000, which amount would be none to much for so needy a class of worthy poor.

We advocate the elimination of the clause of the pension law which makes those old soldiers and their widows who have come to our State since 1880 ineligible to receive help by pension. If a cause ever did exist to justify the insertion of that clause, we think it is now removed by the other Southern States having themselves now each a help for their infirm ex-Confederate soldiers.

Again, the present pension law requires the affidavits of two ex-Confederate soldiers, who served in the war with the applicant, before a pension can be granted. We favor an amendment to this clause as follows: Let the camps in each county, and where no camp is the commissioners court, recommend three persons who shall be appointed by the Governor as pension commissioners, whose duty it shall be to investigate the claims of applicants for pensions, and grant or refuse as they may deem proper; these commissioners to meet at the county site at stated times and receive no compensation for service other than actual expense.

Under the present law, it is now impossible for some worthy old soldiers to

secure help because no two who fought with him now live. Of course, time will make such cases more numerous as the days go by, and ere long it will be next to impossible for any one to produce the necessary proof to his service for the cause we loved.

A. A. MAYHEW,
W. A. MACBETH,
W. H. MORGAN,
Committee.

By Senator Martin:

Resolution adopted by R. O. Faires Chapter, United Daughters of the Confederacy, Flatonia, Texas, February 3, 1903:

Whereas, As the years pass by the condition of the brave and gallant men of the Confederate army render them unable to care for themselves; and

Whereas, The great State of Texas has undertaken to provide for such of them as can not care for themselves; and

Whereas, This provision is not adequate to meet the demands now being made upon the Confederate Home; now, therefore, in accordance with the resolution adopted by the last State Convention of the United Daughters of the Confederacy, be it

Resolved by the R. O. Faires Chapter, Daughters of the Confederacy, assembled in regular meeting in Flatonia, Texas, That we respectfully, but earnestly, petition our Representatives and Senators to vote for, or cause to have enacted, such laws as will enable the Board of Managers of the Confederate Home to provide such additions as will be sufficient for the accommodation of all these noble veterans who are desirous and entitled to the bounty and generosity of the State.

MRS. H. A. TUTWILER,
MRS. M. COCKRILL,
MRS. W. K. SULLIVAN,
Committee.

By Senator Harbison:

Sherman, Texas, January 29, 1903.

We, the undersigned merchants and business men of Sherman, Texas, respectfully solicit and insist on the Senators and Representatives of our district supporting the bill introduced by Senator J. L. Harbison, of Collinsville, Texas, to repeal the occupation tax.

Numerously signed.

Senator Decker offered the following petition, which was numerously signed:

To the Members of the Twenty-eighth Legislature of Texas:

GENTLEMEN: We, the undersigned taxpayers and citizens of Hardeman county, Texas, believe that the present occupation tax law, as applied to mer-

chants, to be wrong in principle, unjust and uncalled for, since it is "class legislation" and a "double tax" on a class of citizens already paying their full proportion of the taxes of the State.

It is undemocratic and contrary to the equality guaranteed by the Constitution and should be repealed.

We urge you to use your influence to have this obnoxious law repealed at this session of the Legislature.

Senator Henderson offered a memorial of citizens of Fannin county, relative to the repeal of occupation tax, and had same referred to Finance Committee.

COMMITTEE REPORTS.

The following committee reports were offered:

ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 169, A bill to be entitled "An Act to amend paragraph 6, of Chapter 4, Section 1, of an act of the Twenty-seventh Legislature of Texas, approved January 22, 1901, entitled 'An Act to regulate the terms and to fix the times for holding the district court in the Twenty-third Judicial District of Texas, and to regulate and validate the returns of all writs and processes heretofore and hereafter issued from the district courts of said judicial district, and to repeal all laws and parts of laws in conflict with this act, and declaring an emergency,' so as to increase the time for the terms of the district court of Matagorda county, Texas,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 56, A bill to be entitled "An Act to provide for and regulate the granting of license to practice as attorney and counselor at law in all the courts of the State of Texas, and to repeal all laws and parts of laws in conflict therewith,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 142, A bill to be entitled "An Act to restore to and confer upon the county court of Orange county the general civil jurisdiction provided for by the Constitution and General Laws of the State of Texas; to conform the jurisdiction of the district court of the said county to such change, and to repeal all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 129, A bill to be entitled "An Act to compel railroads and railway corporations to erect and maintain water closets at passenger stations; to regulate the same; to fix penalties and authorize suits therefor, and declaring an emergency,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 134, A bill to be entitled "An Act to prohibit any corporation or receiver operating a line of railway in whole or in part in the State of Texas, or any officer, agent or representative of such corporations or receiver, from requiring or permitting any conductor, engineer, fireman, brakeman, train dispatcher, telegraph operator, or any trainman who has worked in his respective capacity for sixteen consecutive hours, except in case of casualty, to again go on duty or perform any work until he has had at least eight hours rest, and prescribing a penalty for the violation of this act,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 102, A bill to be entitled "An Act to create the county of Reagan out of the territory of Tom Green county, and to provide for its organization,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 68, A bill to be entitled "An Act to amend Article 3071, of Title LVIII, of the Revised Statutes of Texas of 1895, so as to include accident, fire and marine insurance companies in the list of insurance companies which shall be liable to pay to the holder of a policy in addition to the amount of the loss 12 per cent. damages on the amount of each loss, and reasonable attorney's fees for the prosecution and collection of such loss in the event such companies shall fail to pay the loss after demand made therefor,"

And find the same correctly engrossed.
PATTESON, Chairman.

JUDICIARY COMMITTEE NO. 2.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred,

Senate bill No. 13, A bill to be entitled "An Act to amend Chapter 2, and prevent the sale of certain merchandise on Sunday,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do not* pass.

PAULUS, Chairman.

INTERNAL IMPROVEMENTS.

Committee Room,
Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 182, A bill to be entitled

"An Act to authorize the Gulf, Beaumont & Kansas City Railway Company to purchase the railroads and all other property of the Gulf, Colorado & Great Northern Railway Company and of the Beaumont Wharf & Terminal Company, now owned and hereafter acquired, and to operate the same under the charter of the Gulf, Beaumont & Kansas City Railway Company as part of its own line, with the right to extend the said roads, or either of them, and to construct branches therefrom by amendment of its charter under the General Laws of the State of Texas, and to authorize the corporation or corporations, person or persons, now or hereafter owning the said properties, to sell the same to the Gulf, Beaumont & Kansas City Railway Company, and until such purchase is made to authorize the lease by the Gulf, Beaumont & Kansas City Railway Company of the railroads and other properties of said two other companies."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of Galveston, Chairman.

Committee Room,

Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 181, A bill to be entitled "An Act to authorize the Gulf, Colorado & Santa Fe Railway Company to purchase the railroads and all other property of the Gulf, Beaumont & Kansas City Railway Company and of the Gulf, Beaumont & Great Northern Railway Company, now owned and hereafter acquired, and to operate the same under the charter of the Gulf, Colorado & Santa Fe Railway Company as part of its own line, with the right to extend the said roads, or either of them, and to construct branches therefrom by amendment of its charter under the General Laws of the State of Texas, and to authorize the corporation or corporations, person or persons, now or hereafter owning the said properties, to sell the same to the Gulf, Colorado & Santa Fe Railway Company, and until such purchase is made to authorize the lease by the Gulf, Colorado & Santa Fe Railway Company of the railroads and other properties of said two other companies."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of Galveston, Chairman.

Committee Room,

Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 180, A bill to be entitled "An Act to authorize the St. Louis, San Francisco & Texas Railway Company to purchase, own and operate as a part of its line, the railroad of the Red River, Texas & Southern Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Fort Worth & Rio Grande Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Paris & Great Northern Railroad Company, together with all its franchises, property, rights and privileges; the railroad of the Blackwell, Enid & Texas Railway Company, together with all its franchises, property, rights and privileges, and the railroad of the Oklahoma City & Texas Railroad Company, together with all its franchises, property, rights and privileges; or either or any of such railroads, with all of its or their franchises, property, rights and privileges and every kind and character; and to authorize said companies and each or any of them to sell and convey all of its or their said railroads constructed or to be constructed, and all other properties, rights, franchises and privileges, and to authorize said St. Louis, San Francisco & Texas Railway Company to issue and negotiate its bonds, secured or to be secured by mortgage or mortgages to the amount of the value of the railroads, franchises, property, rights and privileges so purchased, and to the amount of the value of any railroad hereafter constructed by it under the provisions of this act, as fixed, or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of said property, and the operation thereof, and to authorize said St. Louis, San Francisco & Texas Railway Company to construct, own and operate as a part or parts of its lines, the unfinished portion or portions of said railroads or either or any of them between the termini as defined in their respective charters; and to construct, own and operate as a part or parts of its line all extensions and branches of said railroads or either or any of them under or as authorized in and by the charter of said St. Louis, San Francisco & Texas Railway Company or any amendment thereof, made or to be made in pursuance of the General Laws of the State of Texas; and to prescribe the conditions upon which said purchase and sale shall

take effect and be dependent; and to authorize said companies, and each of them to execute all necessary contracts, agreements and conveyances to accomplish said purchases and sales."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

DAVIDSON of Galveston, Chairman.

ROADS, BRIDGES AND FERRIES.

Committee Room,

Austin, Texas, February 11, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 102, A bill to be entitled "An Act to aid Brazoria county, Texas, by supplementing the road and bridge fund by donating and granting to it the State ad valorem and three-fourths of the occupation taxes collected upon property and from persons in said county for a period of two years, and providing for a proper transfer to said fund,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

FAULK, Chairman.

HOUSE BILLS SIGNED.

The chair (Lieutenant Governor Neal) gave notice of signing, and did sign in the presence of the Senate, after their caption had been read,

House bill No. 2, "An Act to diminish the civil and criminal jurisdiction of the county court of Zapata county, and to declare an emergency."

House bill No. 109, "An Act to amend Chapter 170, of the Acts of the Twenty-fifth Legislature entitled 'An Act to create a judicial district in Harris county, additional to the Eleventh District therein, to be the Sixty-first Judicial District, to establish a court and provide a judge and clerk of said new district, and to regulate the venue of the courts of said respective districts and the disposition of the business therein and define the jurisdiction and boundaries and terms thereof,' so as to create an additional district court in Harris county, to be known as the Sixty-first Judicial District and to provide for the organization thereof and to regulate the conduct and disposition of business therein and to provide for filling a vacancy in the office of clerk of said courts.'"

House Concurrent Resolution No. 5, Providing for a joint committee of three

members of the House and two of the Senate to visit the San Jacinto battle ground.

Senator Davidson of DeWitt, as chairman of the Committee of the Whole, offered their report, and

On motion of Senator Harper its adoption was deferred until tomorrow.

BILLS AND RESOLUTIONS.

By Senator Faulk:

Senate bill No. 189, A bill to be entitled "An Act to repeal Chapter 34, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-seventh Legislature, A. D. 1901, being an act to provide for the organization of the Ranger force for the protection of the frontier against marauding and thieving parties, and for the suppression of lawlessness and crime throughout this State; to prescribe the duties and powers of members of such force and to regulate their compensation."

Read first time, and referred to Committee on Military Affairs.

By Senator Hill:

Senate bill No. 190, A bill to be entitled "An Act to restore and confer upon the county court of Edwards county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to such change and to repeal all laws in conflict with this act."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Morris:

Senate bill No. 191, A bill to be entitled "An Act to require the county clerk, district clerk and other officers of Washington county, Texas, who have possession of the deed records, probate records, district court records, or other records of that portion of Liberty county formerly known as the northern division of Liberty county, to deliver said records to the county judge of Polk county, and to provide for the validating of said records when so filed."

Read first time, and referred to Judiciary Committee No. 1.

(Senator Stafford in the chair.)

Morning call concluded.

PENDING BUSINESS SUSPENDED.

Senator Mills moved to suspend pending business,

Senate bill No. 65, A bill to be entitled "An Act to repeal subdivision 1 of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the

Twenty-fifth Legislature, that imposes an annual occupation tax on merchants,"

For the purpose of taking up, out of its order,

Senate bill No. 94, A bill to be entitled "An Act to amend Chapter 153 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, and amended at the Regular Sessions of the Twenty-sixth and Twenty-seventh Legislatures, entitled 'An Act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by means of the ordinary hook and line and trot line; to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof,' by exempting the county of Stephens and other counties from the provisions of this act."

Senator Mills moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator Mills offered the following amendment:

"Amend by striking out 'McLennan and Henderson.'"

The amendment was adopted.

The bill, as amended, was ordered engrossed.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
STATE OF TEXAS.

Austin, Texas, February 12, 1903.

To the Senate.

The advice and consent of the Senate is asked to the following appointments:

Members of the State Board of Dental Examiners—T. P. Williams, of Harris county; George S. Staples, of Grayson county; and J. H. Grant, of Anderson county.

Clerk of the Criminal District Court of Harris County—Oscar E. Reynaud, of Harris county.

S. W. T. LANHAM,
Governor.

PENDING BUSINESS—SENATE BILL NO. 65.

The Chair laid before the Senate, on its second reading,

Senate bill No. 65, A bill to be entitled "An Act to repeal subdivision 1 of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, that imposes an annual occupation tax on merchants,"

Senator Savage offered the following petition, relative to this bill, and requested it be published in the Journal:

To the Members of the Twenty-eighth Legislature of Texas.

GENTLEMEN: We, the undersigned taxpayers and citizens of Montague county, Texas, believe that the present Occupation Tax Law, as applied to merchants, to be wrong in principle, unjust and uncalled for, since it is "class legislation" and a "double tax" on a class of citizens already paying their full proportion of the taxes of the State.

It is undemocratic and contrary to the equality guaranteed by the Constitution, and should be repealed.

We urge you to use your influence to have this obnoxious law repealed at this session of the Legislature.

Respectfully,

P. N. Hudsfelte, merchant.
Joe M. Brown, dry goods.
Robert Weil Co., dry goods.
M. R. Sanders, Nickel Store.
John A. Wilson, clerk.
J. P. Mays, dry goods.
J. A. Sigmon, groceries.
J. W. Heard, salesman.
B. L. Hull, agent.
Nat Dresler, cotton buyer.
M. F. Allen, groceries.
J. F. Elliott, M. D.
D. C. Allen, groceries.
A. J. Allen, groceries.
Henry Karlsberg, manager.
S. Daube & Co., merchants.
F. H. Jones, taxpayer.
Osy Kilerese, drug clerk.
T. H. Friedly, groceries.
G. W. Haltorn, jeweler.
J. A. Ayres, dry goods.
H. L. Thompson, clerk.
J. W. Low, farmer.
W. H. Bizzen, groceries.
J. T. Brice, groceries.
J. H. Brunk, commission merchant.
G. O. Slaughter & Co., druggists.
W. T. Gardner, tinner.
Gardner & Gardner, groceries.
J. B. Younger, groceries.
C. M. Coats, commission merchant.
J. C. Giles, grocer.
S. M. Murphree, merchant.
J. D. Jackson, liveryman.
L. B. Brown, druggist.
R. W. McDaniel, hardware.
J. T. Medders, clerk.
G. W. Chandler & Co., dry goods.
G. M. Black, grocery salesman.
J. B. Iron, grocery salesman.
T. G. Shetton, clerk.
H. V. Whitley, new and second hand merchant.
J. M. Whitley, new and second hand merchant.
E. W. Whitley, new and second hand merchant.

C. B. Marpu, grain dealer.
 W. S. Riggins, bookkeeper City National Bank, Bowie.
 M. A. Ayres, cashier City National Bank, Bowie.
 W. W. Allred, constable.
 John Wilhite, dry goods clerk.
 B. F. Wilhite, merchant.
 J. J. Wilhite, merchant.
 Wiley L. Wilhite, groceries.
 G. B. Cleveland, general merchandise.
 W. T. Lunn, general merchandise.
 W. R. Reed, general merchandise.
 A. C. Schneider, hardware.
 J. N. Campbell, furniture.
 J. S. Lillard, insurance.
 H. C. Leitz, bookkeeper First National Bank.
 A. E. Thomas, cashier First National Bank.
 J. B. Keenan, liveryman.
 John Speer, lawyer.
 O. L. Thomas.
 Price Chandler, railway agent.
 J. A. Burgess, undertaker.
 Orland Riley, druggist.
 H. A. Wills, bookkeeper.
 W. A. Lobdell, salesman.
 J. E. Corpening, groceries.
 Carol Clapp, salesman.
 I. O. Miller, racket store.
 W. S. Lancaster, salesman.
 E. C. Raines, salesman.
 H. McMellan, salesman.
 J. T. Jones, groceries.
 W. A. Jones, groceries.
 J. W. Whitman, dry goods.
 J. P. Hathrock, salesman.
 W. C. Whitman, taxpayer.
 H. T. Tomme, baggagemaster.
 A. C. Crim, insurance agent.
 J. L. Speckl, superintendent compress.
 W. T. F. Brown, dry goods salesman.
 W. J. Shields, contractor.
 S. H. Lancaster, justice of the peace.
 P. E. Park, marble dealer.
 S. D. Gafford, canvasser.
 J. S. Irvine, cotton buyer.
 Bob Meyer, hotel.
 E. S. Cleaver, taxpayer.
 Z. T. Lowric, stock farmer.
 W. T. Penn, merchant.
 J. T. Burnett, salesman.
 W. L. Boyd, salesman.
 L. E. Beyett, clerk.
 A. D. Lunn, clerk.
 Lee Bailey, clerk.
 J. F. Ross, manager.
 J. A. Simmons, clerk.
 G. H. Miller, clerk.

(Senator Sebastian in the chair.)

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Senator Hale offered the following petition, relative to this bill, and asked that it be published in the Journal:

To the Members of the Twenty-eighth Legislature of Texas:

GENTLEMEN: We, the undersigned taxpayers and citizens of Burleson county, Texas, believe that the present occupation tax law to be wrong in principle, unjust and uncalled for, since it is "class legislation" and a "double tax" on a class of citizens already paying their full proportion of the taxes of the State.

It is undemocratic and contrary to the equality guaranteed by the Constitution and should be repealed.

We urge you to use your influence to have this obnoxious law repealed at this session of the Legislature.

Respectfully,

Jenkins & Jenkins, lumber dealers.
 T. F. Gilley, merchant.
 W. C. Carroll, cattleman.
 W. B. Silliman, wood worker.
 M. M. Prince, painter.
 F. B. Dragac, painter.
 J. E. Teague, carpenter.
 T. H. Brewer, clerk.
 W. A. Eddins, hotel keeper.
 I. T. Hall, farmer.
 E. E. Carrington, bookkeeper.
 J. W. Farmer, tinner.
 S. H. Torner, clerk.
 W. I. Heslep, drayman.
 I. W. Leopold, drayman.
 W. J. Stone, telegraph operator.
 J. H. Bell, clerk G., C. & S. F. Ry.
 Joe Stone, waterworks.
 Thos. F. Hudson.
 C. A. Broaddus, hostler.
 J. F. Cobb, merchant.
 W. M. Hilliard, lawyer.
 G. E. James, merchant.
 W. H. Moses, physician.
 D. C. Alford, clerk.
 Jno. Thornton, clerk.
 Wamble, Jenkins & Jenkins, merchants.
 S. B. Murray, druggist.
 Broaddus & Klukan, merchants.
 D. L. Alford, merchant.
 Jenkins & Delamater.
 Stone & Hitchcock, druggist.
 T. O. Gorman, dentist.
 Harry Hudson.
 E. B. St. Clair, cashier Caldwell National Bank.
 R. Struwe, merchant.
 L. Seigle.
 Vic E. Herbert, merchant.
 A. G. Krueger, physician.
 Chas. Schweda, clerk.
 L. Fredrice, merchant.
 John Jancik, Jr., saloon.
 J. S. Snook, furniture.
 Jos. Truax.

J. A. Gray, broker and insurance agent.
 F. A. King, farmer.
 J. W. Harvey, furniture clerk.
 M. L. Womack.

Senator Brachfield moved that action on the bill be postponed until March 2nd.

Senator Harbison moved to table the motion to postpone.

Yeas and nays being called for, the motion to table prevailed by the following vote:

Yeas—21.

Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Douglass.	McKamy.
Faubion.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Willacy.
Hicks.	Wilson.

Nays—10.

Beaty.	Harper.
Brachfield.	Henderson.
Davidson of	Mills.
Galveston.	Perkins.
Decker.	Stafford.
Faulk.	

The bill was ordered engrossed.

(Lieutenant Governor Neal in the chair.)

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
 Austin, Texas, February 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 71, A bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the first day of January, 1887, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law."

Senate bill No. 42, A bill to be entitled "An Act to authorize the International & Great Northern Railroad Company to purchase, own and operate as a part or parts of its line the railroad constructed, or to be constructed, of the Houston, Beaumont & New Orleans Railroad Company, and also the railroad constructed or to be constructed, of the Houston, Oaklawn & Magnolia Park Railway

Company, or either of them, as defined in their respective charters, together with all franchises and property incident or appertaining to said railroads, or either of them; and to authorize said Houston, Beaumont & New Orleans Railroad Company, and said Houston, Oaklawn & Magnolia Park Railway Company each to sell its railroad as defined by its charter, together with all franchises and property incident or appertaining thereto to said International & Great Northern Railroad Company; and to authorize said International & Great Northern Railroad Company to issue and regulate its bonds, secured or to be secured, by mortgage or mortgages, subject to the laws of the State of Texas governing the issuance and negotiation of bonds by railroad companies; and to authorize said International & Great Northern Railroad Company to construct, own and operate, as a part or parts of its lines, extensions and branches of said railroads, or either of them, under or as authorized by said railroad company, or any amendment thereof, made or to be made in pursuance of general laws of the State of Texas; to regulate reports relative to the railroads, franchises and property, authorized by this act to be purchased and sold, and the operation thereof, and to prescribe the conditions upon which said purchases and sales shall take effect and be dependent; and to authorize said companies and each of them to execute all necessary contracts, agreements and conveyances to accomplish said purchases and sales."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

House bill No. 23, "An Act to increase the civil jurisdiction of the county court of Karnes county."

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
 Austin, Texas, February 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 85, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas, organized and existing under the laws of the State of Texas, to purchase or lease

the railroad and properties of the Denison & Washita Valley Railway Company, organized and existing under the laws of the State of Texas, in Grayson county, Texas, together with the franchises and appurtenances pertaining thereto, and to lease or own and operate and maintain the same as a part of its line, and vesting said companies, and each of them, with the power to make and execute all necessary contracts and agreements and conveyances to effect such sale or lease; and also to authorize the Denison & Washita Valley Railway Company to sell or lease all or any part of its railroad and property in the Indian Territory to the Missouri, Kansas & Texas Railway Company, a corporation organized and existing under the laws of the State of Kansas, or the Texas & Oklahoma Railroad Company, a corporation organized and existing under the laws of the Territory of Oklahoma, or either of them," and transmit to the House printed notices of the intention to apply for the passage of this bill.

BOB BARKER,
Chief Clerk, House of Representatives.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 87, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to purchase the railroad, as completed or partially completed and in course of construction, of the Granger, Georgetown, Austin & San Antonio Railway Company between Granger, in Williamson county, and Austin, in Travis county, together with the properties, franchises and appurtenances pertaining thereto; and to own, complete and construct the unfinished parts thereof between Granger and Austin, and operate and maintain the same as a part of its line, with the right to extend the same and construct branches therefrom, by amendment of its charter under the General Laws of the State of Texas: and vesting said companies, and each of them, with the power to make and execute all necessary contracts and agreements and conveyances to effect such purchase and sale," and transmit to the House printed notices of the intention to apply for the passage of this bill.

BOB BARKER,
Chief Clerk, House of Representatives.

EXECUTIVE SESSION.

On motion of Senator Davidson of DeWitt, tomorrow at 11 o'clock a. m. was set for the time for the Senate to go into executive session to consider the appointments of the Governor offered today.

SUB-COMMITTEE APPOINTMENTS.

Senator Wilson offered the following sub-committee appointments:

Hon. Geo. D. Neal, President of the Senate.

SIR: In accordance with the resolution formerly adopted by the Senate, I herewith submit to you list of the sub-committees I have appointed for the purpose of visiting the State institutions situated away from Austin, to determine the amount of appropriations necessary for their maintenance for the ensuing two years, and such other matters as the committee may deem necessary for the betterment of the said institutions.

Medical Department of the University, situated at Galveston: Senators Willacy, Paulus, Martin.

Prairie View, Sam Houston Normal, Agricultural and Mechanical College and the Penitentiaries: Senators Lipscomb, Mills, Paulus, Morris, Decker, Faust.

Orphans' Home, North Texas Asylum, Denton Normal, Industrial College and State Reformatory: Senators Henderson, Harbison, Paulus, Martin, Mills, Faust, Savage.

The Southwest Texas Insane Asylum: Senators Decker, Henderson, Lipscomb, Willacy, Hicks.

Respectfully submitted,
WILSON, Chairman.

Senator Sebastian offered the following memorial:

To the Honorable, the Twenty-eighth Legislature of the State of Texas.

The Haskell County Farmers' Club, in regular session assembled, this 7th day of February, 1903, beg leave to submit for your consideration the following resolutions, herewith adopted by us on this day, as embodying our views and desires on the several questions treated, to wit:

Resolved, That we view with satisfaction the widespread interest manifested for the protection of all insect-destroying birds, and we respectfully ask your honorable body to enact such laws as will most effectively protect from slaughter all birds known or believed to be insect destroyers, and that no part

of the State be exempted from the operation of such laws.

Resolved, That while we are not in the territory so far ravaged by the boll weevil, we heartily favor any practical legislation looking to the destruction of this pest, or tending to materially lessen its ravages.

Resolved, That we, in common with the people of Western Texas, favor and earnestly desire and request the enactment of a law that will force all owners of land infested with prairie dogs to thoroughly exterminate the dogs on their lands.

We believe such a law necessary from the fact that the prairie dogs rapidly spread out from the infested lands and again occupy the lands of persons who have voluntarily cleared their lands of them, hence some law is necessary to reach those who will not voluntarily destroy the dogs on their lands.

Resolved, That we believe that the Farmers' Institute idea now being advanced and developed in portions of the State is destined to be of immense practical value to the agricultural and allied interests of the State, and, to the end that it may be brought into speedy and systematic operation throughout the State, we favor and ask for an adequate appropriation of money for the employment of competent organizers and lecturers for that purpose.

Resolved, That we appreciate the value of the work done by the experiment station at the Agricultural and Mechanical College and the several sub-stations, and we believe that one or more sub-stations in Western Texas would be especially valuable to that large and comparatively new and undeveloped section in greatly hastening its agricultural, horticultural and stock farming possibilities, which we believe to be great, wherefore we especially urge that provision be made for same at suitable points.

And, finally, believing that the prosperity of the whole people rests in large measure on the success and prosperity of agriculture and allied productive industries, it is our firm conviction that they should be protected and fostered by the State in all reasonable ways, and that money spent by the State on the lines suggested in these resolutions will be well invested and will in a very few years return many fold to the State's treasury.

Wherefore the Chairman and Secretary of this club are directed to certify copies of these resolutions to our representatives in the Senate and House, who are hereby respectfully asked to present

same to their respective bodies for their consideration and action.

This is to certify that the foregoing is a true copy of the resolutions adopted by the Haskell County Farmers' Club at its meeting on Saturday, February 7, 1903.

G. J. MILLER,
Chairman.

Attest:

J. E. POOLE,
Secretary.

PENDING BUSINESS SUSPENDED.

The Chair laid before the Senate, on its second reading, pending business,

House bill No. 16, A bill to be entitled "An Act to fix the time for holding court in the counties of the Twenty-second Judicial District, and the terms of court therein, and to repeal all laws in conflict therewith."

The bill was read second time, and passed to a third reading.

PENDING BUSINESS—HOUSE BILL NO. 16.

On motion of Senator Willacy, pending business (House bill No. 22) was suspended, and the Senate took up, out of its order, Senate bill No. 122.

The Chair laid before the Senate, on its third reading,

Senate bill No. 122, A bill to be entitled "An Act to amend Article 3391 and Article 3393, and to repeal Article 3395, Title LXIX, of the Revised Civil Statutes of the State of Texas of 1895, relating to local option."

Senator Faulk offered the following amendment:

"Amend by adding after the word 'therein,' in line 5, page 2, the following: 'Provided, the failure to carry prohibition in a county shall not prevent an election for the same from being immediately thereafter held in a justice's precinct or subdivision of such county, as designated by the commissioners court or of any town or city in such county.'"

Senator Perkins, at 12:40 p. m., moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

The motion was lost by the following vote:

Yeas—12.

Faubion.	Martin.
Faulk.	Morris.
Grinnan.	Patteson.
Harbison.	Perkins.
Harper.	Savage.
Henderson.	Sebastian.

Nays—19.

Beaty.	Hanger.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Paulus.
Decker.	Stafford.
Douglass.	Willacy.
Faust.	Wilson.
Hale.	

Amendment was lost by the following vote:

Yeas—14.

Cain.	Mills.
Douglass.	Morris.
Faulk.	Patteson.
Grinnan.	Perkins.
Harbison.	Savage.
Harper.	Sebastian.
Henderson.	Wilson.

Nays—16.

Brachfield.	Hanger.
Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	McKamy.
Faubion.	Paulus.
Faust.	Stafford.
Hale.	Willacy.

Absent.

Beaty.

The bill was read third time, and passed.

Senator Hanger moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

ADJOURNMENT.

On motion of Senator Hanger, the Senate, at 1:10 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

TWENTY-FIRST DAY.

Senate Chamber,

Austin, Texas, Friday, Feb. 13, 1903.

Senate met pursuant to adjournment.

Lieutenant Governor Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Decker.
Brachfield.	Douglass.
Cain.	Faubion.
Davidson of	Faulk.
DeWitt.	Faust.
Davidson of	Grinnan.
Galveston.	Hale.

Hanger.	Mills.
Harbison.	Morris.
Harper.	Patteson.
Henderson.	Paulus.
Hicks.	Perkins.
Hill.	Savage.
Lipscomb.	Sebastian.
Martin.	Stafford.
McKamy.	Wilson.

Absent—Excused.

Willacy.

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgia Sturgiss.
Mrs. Hattie Yarbrough.
Miss Hope H. Hawkins.
Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
J. A. Chaffe.
Charlie Lane.
Willie Gibson.
Henry Paulus.
Everet Thornhill.
Walter Savage.
Jas. Sebastian.
Willie Gray.
Ed Underhill.
Will Bartley.
Reed Pierson.
Dan Edwards.
Josh Pyles.
Ellis Monroe.
Albert Hill.
Mark Marsh.

Absent.

Miss Lucy Lane.
Jamie Snipes.
John Durst.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Harbison, the same was dispensed with.